



STATE OF WASHINGTON
COMMISSION ON HISPANIC AFFAIRS
COMISIÓN DE ASUNTOS HISPANOS

YAKIMA
Public Meeting
September 18, 2004

Roll Call:

Commissioners present: Diana Avalos, Ruben Baca, Faviola Contreras, Yvonne Lopez-Morton, Gabriel Portugal, Homero Tamez, and Rebecca Villareal

Commissioners absent: Gabriel Banfi (excused) and Leo Gaeta (excused)

Staff present: Uriel Iñiguez and Cindy García

Meeting called to order at 9:10 a.m.

Approval of Minutes:

Commissioner Portugal made a motion to approve the minutes from the Vancouver public meeting. Commissioner Tamez seconded the motion. **Minutes approved unanimously.**

UNFINISHED BUSINESS:

Our next meeting will be in Olympia. We changed that meeting to coincide with the Legislative Reception. CHA will be in Olympia for three days. On December 2nd there will be a joint meeting with the other Minority Commissions that is also the date for the Legislative Reception. On December 3rd there will be a Commissioner Retreat/all day Study Session. On December 4th there will be a public meeting from 9 to 1 in Tacoma. Commissioner Contreras made a motion to accept the dates and the agenda set. Commissioner Tamez seconded the motion. **Motion approved unanimously.**

NEW BUSINESS:

At the Study Session meeting yesterday, discussion made on meeting dates for 2005 calendar. Meeting dates discussed were the following: January 28 & 29 meetings in Walla Walla, March 11 & 12 meetings in Wenatchee, May 13 & 14 in Sunnyside, July 15 & 16 in Aberdeen, September 23 & 24 in Mount Vernon, and December meeting dates are pending for the Legislative Committee Calendar. Commissioner Tamez made a motion to accept the calendar as set forth. Commissioner Portugal seconded the motion. **Motion approved unanimously.**

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Action Item: Executive Assistant will set dates on website.

Applications have been reviewed for the vacant Commissioner position in Yakima. Final selection has been made. Names will be submitted to Governors office. The Governors office will be making the appointment.

Action Item: Executive Assistant will draft letter and send to the Governors office with recommendations.

GUEST SPEAKERS:

Greg Miller – Washington State Patrol (WSP)

Mr. Miller works with the criminal investigation department in Olympia. He oversees detectives that work throughout the state. Mr. Millers spoke about vehicular homicide crashes. Suspects fail to appear in court or leave the scene of an accident and are never held accountable for the collisions and deaths they cause. The WSP has set up a list of Most Wanted on their web page. 77 per cent of the faces on the WSP most wanted website are Hispanic. They were not picked out of a group of people to go on the website. The faces on the website is that of every single person that has not gone to court since 1992 and WSP is seeking justice on these crimes regardless of ethnicity. Mr. Miller explained that it is much harder to find a Hispanic suspect as opposed to a non-Hispanic suspect. There is a sense of disconnect with the community and many of the suspects use different surnames.

Commissioner Portugal asked what the WSP position was in regards to undocumented people to get their license. This is a preventive measure for everyone to have a license.

Mr. Miller responded that the Department of Licensing (DOL) along with the Legislature regulate the licensing aspect and WSP ends up dealing with drivers regardless of their legal status. Educate on motor laws and proper licensed and tested would seem to make better drivers. State patrol has no say or input on this issue.

Question from the public: Why are 77 on your website Hispanic? There is no explanation on what they did.

Mr. Miller responded by stating that he would take this back to the Chief. Part of the reason why there are so many Hispanic faces is because there is more difficulty in finding these faces. Usually suspects are found trough the citizens of the community. WSP would like to reach out to the Hispanic community and build a working relationship.

Question from the Public: How many of those 77 are actually licensed?

Mr. Miller stated some were licensed, some were not, and some had a suspended license.

Commissioner Avalos asked what types of training officers receive not only in culturally sensitive areas but also in cultural responsiveness.

Mr. Miller responded by stating that all of the troopers are sent to diversity training. Troopers are trained and mandated to treat and police all citizens equally.

Mark Usdane – League of Educated Voters

League of educated voters are sponsoring Initiative 884. Initiative 884 is a series of promises. Deliver on the promises we all made to our kids. When looking at the public school system, kids are excited to start school. By the time they get to high school, fewer than 7 out of 10 kids are still in school. By the time graduation time comes around, only 4 of those 7 that graduated will go on to obtain a higher education. Increasingly in order to get a good job, over the next 10 years more than 80% of good jobs will require technical training. Of those four that go to community college or go to university only 2 graduate. Initiative 884 looks at pre-school and getting children ready for kindergarten. Teachers say 40% of children are not ready for school when they start kindergarten.

Commissioner Portugal asked how the funds would be generated for Initiative 884.

Mr. Usdane stated that there would be a penny cent increase in sales tax.

Commissioner Villareal requested that Mr. Usdane state briefly what Initiative 884 is.

Mr. Usdane responded by stating it was a means to create an education trust fund for smaller classes, extended learning programs, certain salary increases for teachers, preschool access and expanded college enrollments and scholarships.

Commissioner Lopez-Morton asked how many school boards were endorsing the initiative.

Mr. Usdane responded by stating he didn't know the exact number.

Commissioner Lopez-Morton wanted to know how Eastern Washington is responding to the initiative.

Mr. Usdane replied that Spokane endorsed the initiative the previous evening.

Commissioner Avalos wanted to know how soon would I-884 go into effect.

Mr. Usdane stated that if it passes in November, it would be in effect by Summer 2005.

Martín Chacón – Community Member

Mr. Chacón worked in the school district for 15 years. Mr. Chacón wants the Commission to push the Superintendent on some of the educational issues impacting

Hispanic students. Implement Chicano Studies in the high schools so students have something to relate to. Some history. By the time students leave grade school; they have lost some of their culture. When they get to high school, they have no one to identify with. They lose interest.

Tony Sandoval: Stated that the Commission is not stable. There is a revolving door with directors and secretaries. Keep reinventing the wheel. Mr. Sandoval stated that the Commission was ineffective.

Acting Director Iñiguez responded to Mr. Sandoval by stating that he should speak to his Legislature and speak to the Governor candidates so CHA can get well funded. There have been major cuts in staff in the last two years. CHA went from 4 staff to 1.8 staff.

Janie Soto – Human Rights Commission (HRC)

Ms. Soto gave a brief overview of what the HRC does. HRC is a state agency that enforces the law. Eliminate and prevent discrimination. HRC has authority to investigate complaints in five areas. Largest area is employment and housing. HRC also deals with retaliation if a person has opposed discriminatory practices under the law. There are a couple of jurisdictions that have to be met before a person can file a complaint. 180 days jurisdiction. Employer has to have 8 or more employees. If an employer has less than 8 employees, what HRC tries to do is refer them to an attorney or another state agency. If the employer is a large enough employer, HRC takes an intake and begins the investigation process. Investigations have a 300-day statute. Employment discrimination includes disability issues, injured workers, limited English speaking and so what HRC does is look at what the person is being discriminated against, it can be at the office of the hiring, benefits, emotional discrimination, termination all along the employment area.

Question from the Public: How many people do you have on your staff here in Yakima?

Ms. Soto stated there are 2 investigators. Now only one person can speak Spanish.

Commissioner Portugal asked what percentage of the people coming into the HRC office are undocumented.

Ms. Soto replied that HRC does not ask if they are legal.

Commissioner Lopez-Morton asked how many paid staff HRC has and how many Commissioners.

Ms. Soto replied there are 5 Commissioners, and 36-40 paid staff in all of the State.

Ramon Benavides – Labor and Industries (LNI)

Mr. Benavides works for LNI and wanted to inform the Hispanic Community on specific activities LNI is conducting. Mr. Benavides provides outreach training in Spanish. Outreach activity is done by working with organizations, including, state agencies, non-profits, private employers, farmers, warehouses, etc. Workshops conducted on training how to use pesticides and be safe while doing it. LNI provides these trainings so workers can be safe while doing their jobs. The Farmworker community is not an easy community to reach. Mr. Benavides states he works weekends, nights, and Sundays to try to reach the community.

Question from the Public*: There is a great problem in regards to pesticides. Why doesn't LNI do random checks to make sure employers are providing protective gear for their employees. It's a crime. These workers are killing themselves and they don't realize it. There is a lack of education and capacity. Sometimes it's hard for workers to get to meetings to obtain this education and information. They are tired. They get home at 5 in the evening and don't want to go to a meeting. Why doesn't LNI go into the orchards?

Mr. Benavides replied that there are issues with LNI doing more inspections. Orchards are private properties. If a formal complaint is made, it can be anonymous; we have more of a right to go in. Inspections are something that is probably not happening anymore.

Ana Guzman: Ms. Guzman is an agricultural worker. Ms. Guzman stated that LNI makes life very complicated for farmworkers. When they have to file a workers compensation form, it's almost impossible to get coverage. It takes a long time, and LNI requires too much information. Workers are not protected, we are the ones that provide food on your table and we are treated very badly.

Mr. Benavides responded that there is a lack of laws.

Carol Danserau – Farmworker Pesticide Program.

The mission of the Farmworker Pesticide Program is to educate and provide more visibility of the problem. There have been many studies that have been done that make it very clear that farmworkers have been affected by pesticides. Particular study tested 200 houses of farmworkers and their families. Pesticides cross from a mother unto an unborn baby. Pregnant workers unborn children are being exposed. Not on the radar screen, need to change that. Possible to have this exposure and not realize what is going on. Lots of studies that indicated these low level exposure could be causing neurological brain damage children are much more vulnerable than the adults.

In Washington State there is a new program after 20 years of fighting for it. WA we have a new program after 20 years of fighting. Farmworkers have blood test before spring starts and after spring. Blood test are measuring the levels of something called cholinesterase, a very important chemical in our body. Measured under this program when it goes down a lot 20% they have to investigate the workplace to find out what's

going on. Results are really terrible. Over the five years one in 5 workers have significant depressions.

Ana Guzman – Agricultural Worker*

Ms. Guzman has been working in orchards for over 20 years. She has five children, and four of them have allergies. She attributes this to the pesticides they have been exposed to when they were younger. Ms. Guzman feels that there needs to be more action done in the pesticide area. She would like the Commission to go to the Governor with her concerns and would like to see something done about the pesticide issue.

Lilia Nieto-Torres & Bill Wegeleben – Washington State Legislature

Ms. Nieto-Torres and Mr. Wegeleben wanted to address the public on what the State Legislature is doing to involve the Hispanic community in the legislative process. The WA State legislature is very aware and concerned that a lot of people in the state do not speak English. That is a really weak reason to not be part of the process. The upcoming Legislative session will be 105 days. The State Legislature wants everyone to know the process of how bills and decisions are made so that everyone's voice can be heard. WA State Legislature will be translating portions of their website. This is the first step of many.

Al Munguia: What portions will be translated? When will the constitution be translated?

Mr. Wegeleben stated that there is no specific answer on the constitution. The first step in the process was going to be to getting information on the legislative process out in Spanish. There will also be a hotline set up. There will be Spanish Speaking operators that will answer the hotline during the session.

Al Munguia: Feels that the State Legislature should not spend taxpayers' money on this project. It's a great idea, but most Spanish speaking farmworkers do not have access to a computer or know how to use a computer.

Commissioner Lopez Morton stated that they could also use Spanish Newspapers as a means to get the word out. Media should be getting this information in publication. That's a good opportunity to get the word out.

Mr. Wegeleben added that CHA had discussed the possibility of providing a few hours of interpreting services for hearings.

Meeting adjourned at 2:00 p.m.

*Original comments made in Spanish. To see original comments, please contact Cindy García, cgarcia@cha.wa.gov.